

SUPREME COURT NOMINEES NOT CONFIRMED BY THE SENATE¹

<u>Nominee and President</u>	<u>History of Nomination</u>	<u>Vote yea/nay</u>
William Paterson (Washington)	Nominated February 27, 1793 Withdrawn February 28, 1793	
John Rutledge (C/J) (Washington)	Nominated December 10, 1795 Rejected December 15, 1795	10-14
Alexander Wolcott (Madison)	Nominated February 4, 1811 Reported February 13, 1811 Rejected February 13, 1811	9-24
John J. Crittenden* (J.Q. Adams)	Nominated December 17, 1828 Reported January 26, 1829 (proposing postponement) Postponed February 12, 1829	23-17
Roger B. Taney (Jackson)	Nominated January 15, 1835 Postponed Indefinitely March 3, 1835 Confirmed as Chief Justice, March 15, 1836	24-21
John C. Spencer (Tyler)	Nominated January 9, 1844 Reported January 30, 1844 Rejected January 31, 1844	21-26
	Renominated June 17, 1844 Withdrawn June 17, 1844	
Reuben H. Walworth (Tyler)	Nominated March 13, 1844 Reported June 14, 1844 Tabled, June 15, 1844 Withdrawn June 17, 1844	27-20
	Renominated December 4, 1844	

¹Does not include those whose nominations were announced to the press but never officially submitted to the Senate. Date of nomination is date of the president's letter to Senate.

<u>Nominee and President</u>	<u>History of Nomination</u>	<u>Vote yea/nay</u>
	Reported and tabled January 21, 1845 Withdrawn February 4, 1845	
Edward King (Tyler)	Nominated June 5, 1844 Reported June 14, 1844 Postponed June 15, 1844	29-18
	Renominated December 4, 1844 Reported and tabled, January 21, 1845 Withdrawn February 7, 1845	
John M. Read (Tyler)	Nominated February 7, 1845 Reported February 14, 1845 Not Acted Upon	
George W. Woodward (Polk)	Nominated December 23, 1845 Reported January 20, 1846 Rejected January 22, 1846	20-29
Edward A. Bradford (Fillmore)	Nominated August 16, 1852 Reported August 30, 1852 Not acted upon	
George E. Badger** (Fillmore)	Nominated January 3, 1853 Postponed February 11 to March 4, 1853 Withdrawn February 14, 1853 ²	26-25
William C. Micou (Fillmore)	Nominated February 14, 1853 Discharged February 24, 1853 Not Acted Upon	
Jeremiah S. Black (Buchanan)	Nominated February 5, 1861 Rejected February 21, 1861 ³	25-26

²President Fillmore wrote that he considered the postponement "as equivalent to a rejection" and therefore nominated Micou as a replacement on February 14.

³The Senate did not actually vote on the nomination but rather refused to proceed to consideration.

<u>Nominee and President</u>	<u>History of Nomination</u>	<u>Vote yea/nay</u>
Henry Stanbery (A. Johnson)	Nominated April 16, 1866 Not Acted Upon (Appointed Attorney General)	
Ebenezer Hoar (Grant)	Nominated December 14, 1869 Reported Adversely December 22, 1869 Rejected February 3, 1870	24-33
George H. Williams (C/J)* (Grant)	Nominated December 1, 1873 Reported Favorably December 11, 1873 Recommitted December 15, 1873 Withdrawn January 8, 1874	
Caleb Cushing (C/J) (Grant)	Nominated January 9, 1874 Reported Favorably January 9, 1874 Withdrawn January 13, 1874	
Stanley Matthews* (Hayes)	Nominated January 26, 1881 Not Acted Upon ⁴	
William B. Hornblower (Cleveland)	Nominated September 19, 1893 Nominated December 5, 1893 Reported Adversely January 8, 1894 Rejected January 15, 1894	24-30
Wheeler H. Peckham (Cleveland)	Nominated January 22, 1894 Reported without Recommend. February 12, 1894 Rejected February 16, 1894	32-41
John J. Parker (Hoover)	Nominated March 21, 1930 Reported Adversely April 21, 1930 Rejected May 7, 1930	39-41

⁴Matthews was again nominated to the Supreme Court by President Garfield on March 14, 1881. Although the nomination was reported adversely on May 9, 1881, the full Senate confirmed Matthews by a vote of 24-23.

<u>Nominee and President</u>	<u>History of Nomination</u>	<u>Vote yea/nay</u>
Abe Fortas (C/J) (L. Johnson)	Nominated June 26, 1968 Reported Favorably September 20, 1968 Withdrawn October 4, 1968	
Homer Thornberry (L. Johnson)	Nominated June 26, 1968 Withdrawn October 4, 1968	
Clement F. Haynsworth (Nixon)	Nominated August 21, 1969 Reported Favorably November 12, 1969 Rejected November 21, 1969	45-55
G. Harrold Carswell (Nixon)	Nominated January 19, 1970 Reported Favorably February 27, 1970 Motion to recommit defeated Apr. 6, 1970 Rejected April 8, 1970	44-52 45-51
Robert Bork (Reagan)	Nominated July 7, 1987 Reported Unfavorably October 13, 1987 Rejected October 23, 1987 ⁵	42-58

*A former senator

**A sitting senator at the time of nomination

TOTAL - 27

Source: U.S., Congress, Senate, *Executive Journal*

**Senate Historical Office
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⁵The nomination of Douglas Ginsburg, President Reagan's first nominee to replace Bork, was withdrawn before being officially submitted to the Senate.